



Lincoln Police Department
Thomas K. Casady, Chief of Police
575 South 10th Street
Lincoln, Nebraska 68508

402-441-7204
fax: 402-441-8492

MAYOR COLEEN J. SENG

www.ci.lincoln.ne.us



November 11, 2003

Mayor Seng and City Council
City of Lincoln
City County Building
Lincoln, NE

Mayor Seng and Members of the City Council:

An investigation has been made regarding the application of Osian International Market, 2535 'O' Street requesting a class D liquor license.

Thieu Nguyen, owner has requested that he be approved as the manager of the liquor license.

Background information on the applicant is as follows:

Thieu Nguyen was born in Bien Hoa, Vietnam. He attended Ohio Dominican University graduating in 1996. Mr. Nguyen served in the United States Armed Forces 1989 - 1993, receiving an honorable discharge.

Thieu Nguyen employment history is as follows:

Present	Owner, Osian International Market / Café de Mai	Lincoln, NE.
1997 - 2003	Manager, Southern Auto Sales	Columbus, OH.
1993 - 1997	Manager, Asia Market	Columbus, OH.

If this application is approved, it should be with the understanding that it conforms to all the rules and regulations of Lincoln, Lancaster County and the State of Nebraska.

THOMAS K. CASADY, Chief of Police



A nationally accredited law enforcement agency



STATE OF NEBRASKA



Mike Johanns
Governor

October 29, 2003

FILED
CITY CLERK'S OFFICE

'03 OCT 30 AM 4 08

CITY OF LINCOLN
NEBRASKA

124939
71

City Clerk
County/City Bldg
555 South 10th Street
Lincoln NE 68508

Dear Local Governing Body:

Attached is the form to be used on all retail liquor license applications. Local clerks must collect proper license fees and occupation tax per ordinance, if any, before delivering the license at time of issuance.

TWO KEY TIME FRAMES TO KEEP IN MIND ARE:

- 1) You have 45 days to conduct a hearing after the date of receipt of the notice from this Commission (§53-134). You may choose **NOT** to make a recommendation of approval or denial to our Commission.

PER §53-133, THE LIQUOR CONTROL COMMISSION SHALL SET FOR HEARING ANY APPLICATION WHEREIN:

- 1) There is a recommendation of denial from the local governing body.
- 2) A citizens protest; or
- 3) Statutory problems that the Commission discovers.

PLEASE NOTE...A LICENSEE MUST BE "PROPERLY" LICENSED IN ORDER TO PURCHASE FROM WHOLESALERS; AND, A LICENSE IS EFFECTIVE:

- 1) Upon payment of the license fees;
- 2) Physical possession of the license;
- 3) Effective date on the license.

Sincerely,

NEBRASKA LIQUOR CONTROL COMMISSION

Michele Porter

Michele Porter
Licensing Division

Enclosures
Rhonda R. Flower
Commissioner

Bob Logsdon
Chairman

R.L. (Dick) Coyne
Commissioner

An Equal Opportunity/Affirmative Action Employer

Printed with soy ink on recycled paper

FORM 35-4001

Set date 11-3
PH: 11-24-03
NEBRASKA LIQUOR CONTROL COMMISSION
Forrest D. Chapman
Executive Director
301 Centennial Mall South, 5th Floor
P.O. Box 95046
Lincoln, Nebraska 68509-5046
Phone (402) 471-2571
Fax (402) 471-2814
TRS USER 800 833-7352 (TTY)
web address: <http://www.nol.org/home/NLCC/>

Osian International Market
2535 O Street
Class D

APPLICATION FOR LICENSE
Nebraska Liquor Control Commission
PO Box 95046,
301 Centennial Mall South
Lincoln, NE 68509-5046

New
D# 61649
<http://www.nol.org/home/NLCC/>
Phone: (402) 471-2571
Fax: (402) 471-2814

Local mp
RECEIVED

OCT 27 2003

**NEBRASKA LIQUOR
CONTROL COMMISSION**

INSTRUCTIONS: Include: 1. Applicable fees payable to Liquor Control Commission 2. Copy of birth certificate or naturalization papers proving U.S. citizenship for each individual and spouse named on application (not required of corporations or spouse(s) who file an affidavit of no interest with application, Commission form 4178 3. Corporations must include copy of articles of incorporation as filed with the Secretary of State office in the state of Nebraska 4. Commission checklist, form 4251 5. Fingerprint cards and processing fees (are required of individuals, all partners and spouses. Corporate applicants must file for CEO/Manager & stockholders holding over 25% stock 6. All applications must be typewritten or printed clearly 7. Submit in Triplicate 8. Required areas marked by a red asterisk (*)

CLASS OF LICENSE FOR WHICH APPLICATION IS MADE AND LIST OF FEES FOR EACH

Class of License (Check applicable class) *	Registration Fee	License Fees	Corporate Surety Bond *send copy
<input type="checkbox"/> A Beer, On Sale Only - Inside Corporate Limits	\$45.00	Collected at Local Level	exempt
<input type="checkbox"/> F Beer, On Sale Only - Outside Corporate Limits	\$45.00	Collected at Local Level	exempt
<input type="checkbox"/> B Beer, Off Sale Only - Inside/Outside Corporate Limits	\$45.00	Collected at Local Level	exempt
<input type="checkbox"/> J Wine, Beer, On Sale Only - Inside Corporate Limits	\$45.00	Collected at Local Level	exempt
<input type="checkbox"/> I Spirits, Wine, Beer, On Sale Only - Inside Corporate Limits	\$45.00	Collected at Local Level	exempt
<input checked="" type="checkbox"/> D Spirits, Wine, Beer, Off Sale Only - Inside Corporate Limits	\$45.00	Collected at Local Level	exempt
<input type="checkbox"/> D1 Spirits, Wine, Beer, Off Sale Only - within extraterritorial zoning jurisdiction	\$45.00	\$150.00	exempt
<input type="checkbox"/> C Spirits, Wine, Beer On & Off Sale - Inside Corporate Limits	\$45.00	\$150.00	exempt
<input type="checkbox"/> M Bottle Club (Spirits, Wine, Beer, On Sale)	\$45.00	Collected at Local Level	exempt
<input type="checkbox"/> H Nonprofit Corporation	\$45.00	Collected at Local Level	exempt
<input type="checkbox"/> K Wine Only, Off Sale	\$45.00	Collected at Local Level	exempt
<input type="checkbox"/> O Boat	\$45.00	Collected at Local Level	exempt
<input type="checkbox"/> V Manufacturer of Beer, Wine & Distilled Spirits	\$45.00	\$50.00	exempt
<input type="checkbox"/> X Wholesale Liquor	\$45.00	Varies \$100 to \$1,000	*\$10,000 min.
<input type="checkbox"/> W Wholesale Beer	\$45.00	\$500.00	*\$ 5,000 min.
<input type="checkbox"/> Y Farm Winery	\$45.00	\$250.00	*\$ 5,000 min.
<input type="checkbox"/> L Craft Brewery (Brew Pub)	\$45.00	\$250.00	*\$ 1,000 min.
	\$45.00	\$250.00	*\$ 1,000 min.

TYPE OF APPLICATION *		NAME OF PERSON ASSISTING WITH APPLICATION	
Type of application being applied for (check appropriate box)		Name <input type="text" value="John M. Boehm"/>	
1. <input type="radio"/> Individual License requires Form 1 to be attached. 2. <input type="radio"/> Partnership License requires Form 2 to be attached. 3. <input checked="" type="radio"/> Corporate License requires Forms 3 and Manager Application to be attached		Firm Name <input type="text" value="Butler, Galter, O'Brien & Boehm"/>	
		Address <input type="text" value="811 S. 13th St., Lincoln, NE 685"/>	
SECTION A -- LOCATION INFORMATION -- Must be completed by all applicants			
Trade Name (name of business) <input type="text" value="OAsian International Market"/>		Telephone Number at premise to be licensed <input type="text" value="402-476-7311"/>	
1) Street Address of Proposed licensed premise <input type="text" value="2535 *O* Street"/>		2) Mailing Address for receipt of Liquor Control Commission mailings <input type="text" value="2535 *O* Street"/>	
City <input type="text" value="Lincoln"/>	County <input type="text" value="Lancaster"/>	City <input type="text" value="Lincoln"/>	County <input type="text" value="Lancaster"/>
Zip Code <input type="text" value="68510"/>	Is this located inside the city limits? <input checked="" type="radio"/> Yes <input type="radio"/> No		Zip Code <input type="text" value="68510"/>

DESCRIPTION AND DIAGRAM OF THE STRUCTURE TO BE LICENSED

In the space provided draw the area to be licensed. This should include storage areas, basement, sales areas and areas where consumption or sales of alcohol will take place. If only a portion of the building is to be covered by the license, you must still include dimensions (length x width) of the licensed area as well as the dimensions of the entire building in situations where only a portion of the entire bldg. is to be covered by the license. No blue prints will be accepted. Be sure to indicate the direction North and number of floors of the building. See attached



Example: East portion approximately 50' x 100' of main floor of 3 story building plus basement. Approximately 30' x 50' at the East end.

SECTION B

OTHER INFORMATION REQUIRED *

* 1. READ CAREFULLY. Answer completely and accurately.	Yes	No	Explanation/Comments Note: Only what is visible on screen will be printed
Has anyone who is a party to this application, or their spouse, ever been convicted of or plead guilty to any criminal charge. Criminal charge means any charge alleging a felony or misdemeanor violation of a federal or state law; or a violation of a local law, ordinance or resolution. Include any DWIs or DUIs. List the nature of the charge, where the charge occurred and the year and month of the conviction or plea. Also list any charges pending at the time of this application. If more than one party, please list charges by each individual's name.	Yes <input checked="" type="radio"/>	No <input type="radio"/>	Tim Nguyen-speeding Summer, 2000, Lexington, KY Kim Nguyen-speeding Fall, 1996, Chicago, IL
* 2. Are you buying the business and/or assets of a licensee? If yes, submit a copy of the sales agreement with a listing of assets being acquired including liquor inventory (name brand and container size required).	Yes <input type="radio"/>	No <input checked="" type="radio"/>	
* 3. Are you filing a temporary agency agreement, Commission form 4231, whereby current licensee allows you to operate on their license? If yes, attach copy.	Yes <input type="radio"/>	No <input checked="" type="radio"/>	
* 4. Are you borrowing any money from any source to establish and/or operate the business? If yes, list the lender.	Yes <input checked="" type="radio"/>	No <input type="radio"/>	Cornhusker Bank
* 5. Will any person or entity other than licensee be entitled to a share of the profits of the establishment? If yes, explain.	Yes <input type="radio"/>	No <input checked="" type="radio"/>	

* 6. Will any of the furniture, fixtures and equipment to be used in this business be owned by others? If yes, list such items and the owner.	Yes <input type="radio"/>	No <input checked="" type="radio"/>	
* 7. Will any person(s) other than named in this application have any direct or indirect ownership or control of the business? If yes, explain?	Yes <input type="radio"/>	No <input checked="" type="radio"/>	
* 8. Are the premises to be licensed within 150 ft. of a church, school, hospital, home for the aged or indigent persons or for veterans, their wives, children, or within 300 ft. of a college or university campus? If yes, list the name of such institution and where it is located in relation to the premises. Per Sec. §53-177.	Yes <input type="radio"/>	No <input checked="" type="radio"/>	
* 9. Is anyone listed on this application a law enforcement officer? If yes, list the person, the law enforcement agency involved and the persons exact duties.	Yes <input type="radio"/>	No <input checked="" type="radio"/>	
10. List the primary bank and/or financial institution (branch if applicable) to be utilized by the business and the person(s) who will be authorized to write checks and/or make withdrawals on accounts at such institutions.	First Choice Credit Union Tim Nguyen Kim Nguyen		
11. List all past and present liquor licenses held by any person named in this application. Include license holder name, location of license and license number. Also list reasons for termination of any licenses previously held.	None		
12. List the person who will be the on site supervisor of the business and the estimated number of hours per week such person or manager will be on the premises supervising operations.	Tim Nguyen 10-15 hours		

13. List the training and experience of the person listed in #12 above in connection with selling and/or serving alcohol products.

6-7 years managing restaurants and grocery stores

14. If the property for which this license is sought is owned, submit a copy of the deed, or proof of ownership, if leased submit a copy of the lease covering the entire license year. (Documents must show title or lease held interest in name of applicant as owner or lessee in the individual(s) or corporate name for which the application is being filed)

Lease attached

15. When do you intend to open for business?

Already open

16. List the principal residence for the past 10 years for all persons required to sign application. If necessary attach a separate sheet.

NAME	FROM (YEAR)	TO (YEAR)	RESIDENCE (CITY, STATE)
Tim Nguyen	2002	2003	Lincoln, NE
Tim Nguyen	1993	2002	Columbus, OH
Kim Nguyen	2002	2003	Lincoln, NE
Kim Nguyen	1996	2002	Columbus, OH
Kim Nguyen	1993	1996	Shaumburg, IL

The undersigned applicant(s) hereby consent(s) to a background investigation and release of present & future records of every kind and description including police records, tax records (State and Federal), bank or lending institution records, and said applicant(s) and spouse(s) waive(s) any right or causes of action that said applicant(s) or spouse(s) may have against the Nebraska Liquor Control Commission, the Nebraska State Patrol, and any other individual disclosing or releasing said information. Any documents or records for the proposed business or for any partner or stockholder that are needed in furtherance of the application investigation or any other investigation shall be supplied immediately upon demand to the Nebraska Liquor Control Commission or the Nebraska State Patrol. The undersigned understand and acknowledge that any license issued, based on the information submitted in this application, is subject to cancellation if the information contained herein is incomplete and/or inaccurate.

Individual applicants agree to supervise in person the management and operation of the business and that they will operate the business authorized by the license for themselves and not as an agent for any other person or entity. Corporate applicants agree the approved manager will superintend in person the management and operation of the business. Partnership applicants agree one partner shall superintend the management and operation of the business. All applicants agree to operate the licensed business within all applicable laws, rules, regulations, and ordinances and to cooperate fully with any authorized agent of the Nebraska Liquor Control Commission.

Must be signed in the presence of a notary public. Must be signed by applicant and spouse; if a partnership, all partners and spouses must sign and corporation, all stockholders (holding more than 25% of the stock), officers, directors and spouses must sign. Full names only, initials not acceptable.

Sign
hereSign
hereSign
hereSign
hereSign
hereSign
hereSign
hereSign
here

Subscribed in my presence and sworn to before me this 27 day of October, 2003



In compliance with ADA, this application for license form is available in other formats for persons with disabilities. A ten day advance period is requested in writing to produce the alternative format.

Sign
here

Notary Public Signature

Verify & Print form

FORM 35-4010

1
REV 1/01

Corporation/LLC Application for License - Form 3

Nebraska Liquor Control Commission

RECEIVED

OCT 27 2003

NEBRASKA LIQUOR
CONTROL COMMISSION**INSTRUCTIONS:**

- 1) Application and application for manager must be typewritten and submitted in triplicate
- 2) Fingerprint cards (2 cards per person) must be submitted for: a) each stockholder owning over 25% of the stock, b) chief executive officer, c) proposed manager and d) all spouses
- 3) Information regarding spouses must be completed

Required areas marked by a red asterisk (*)

Name of Corporation That Will Hold License. Attach copy of Articles of Incorporation

Asian International Market, LLC *

Total Number of Shares (if corporation)

N/A *

Corporate Street Address

2535 "O" Street *

Mailing address for receipt of Liquor Control Commission Mailings

2505 "O" Street *

Corporate Telephone Number

402-476-7311 *

City

Lincoln *

County

Lancaster *

State

NE *

Zip Code

68510 * -

Name of Registered Agent

Tim Nguyen *

Name of Proposed Manager

Tim Nguyen *

IN THIS SECTION LIST THE NAME OF THE CHIEF EXECUTIVE OFFICER

Name

Nguyen, Thieu (Tim) Huy *

Title

Manager *

Date of Birth

Social Security Number

* -

Home Address (1)

8121 South Street *

City

Lincoln *

State

NE *

Zip Code

68506 * -

Home Telephone Number

402-610-6018 *

PRINCIPLE OFFICERS, DIRECTORS, STOCKHOLDERS, MEMBERS AND SPOUSES

Name of Officers, Directors, Members and Spouses. Give Last Name, First Name, Middle, Maiden, and any aliases

Name

Nguyen, Thieu (Tim) Huy

Social Security Number

* -

Date of Birth

* -

Title

Manager

Spouse Name

Nguyen, Kim Ngan (Do)

* -

* -

None

Partner Number of Shares / %

100

Spouse Number of Shares / %

0

Name of Officers, Directors, Members and Spouses. Give Last Name, First Name, Middle, Maiden, and any aliases

Name

Social Security Number

* -

Date of Birth

* -

Title

Spouse Name

Partner Number of Shares / %

Spouse Number of Shares / %

Name of Officers, Directors, Members and Spouses. Give Last Name, First Name, Middle, Maiden, and any aliases

Name

Social Security Number

Date of Birth

Title

Spouse Name

Partner Number of Shares / %

Spouse Number of Shares / %

Name of Officers, Directors, Members and Spouses. Give Last Name, First Name, Middle, Maiden, and any aliases

Name

Social Security Number

Date of Birth

Title

Spouse Name

Partner Number of Shares / %

Spouse Number of Shares / %

Name of Officers, Directors, Members and Spouses. Give Last Name, First Name, Middle, Maiden, and any aliases

Name

Social Security Number

Date of Birth

Title

Spouse Name

Partner Number of Shares / %

Spouse Number of Shares / %

(If Necessary, Continue on Separate Sheet)

Is this Corporation/LLC controlled by another Corporation?
Yes ☐ No ☒

Name of control Corporation

If YES, LIST EACH STOCKHOLDER/MEMBER OWNING MORE THAN 25% stock/interest in that corporation/LCC. Any applicant who has a Corporation as a shareholder MUST file an organizational chart listing all shareholders and/or corporations owning more than 25% stock and listing of the percentage of stock owned.

Please indicate below your corporate tax year with the IRS

Starting date: January 1 Ending date: December 31

State of Nebraska

Lancaster County

)
) ss.
)

Nancy L. Wilken
Notary Public Signature & Seal



In Compliance with ADA, this form is available in other formats for persons with disabilities. A ten day advance period is requested in writing to produce the alternate format.

By Thomas H. Hufnagel
President/Member

Secretary/Member

Verify Form and Print

FORM 35-4183
REV. 02/01

Application for Corporate Manager

Must Be A Nebraska Resident

Please submit in Triplicate

RECEIVED

OCT 27 2003

Return to: Nebraska Liquor Control Commission, PO Box 95046
301 Centennial Mall So., Lincoln NE 68509

Phone: (402) 471-2571

Fax: (402) 471-2814

Web address: <http://www.nol.org/home/NLCC/>NEBRASKA LIQUOR
CONTROL COMMISSION

Required areas marked by a red asterisk (*)

LIQUOR LICENSE INFORMATION

Name of Licensed Corporation

Asian International Market, LLC *

Class & License number

D- *

Trade Name of Licensed Premise

Asian International Market *

Street Address of Licensed Premise

2535 "O" Street *

City

Lincoln *

Zip Code

68510 *

County

Lancaster

On behalf of the corporation, I designate this individual as corporate manager.

Signature of Corporate President/CEO:



APPLICANT INFORMATION (MUST BE 21 OR OVER)

Full Name (Last, First, Middle, Maiden)

Nguyen, Thieu (Tim) Huy *

Sex *

F

M

C

G

Social Security Number

Date of Birth *

Place of Birth

Bien Hoa, Vietnam *

Home Street Address

8121 South Street *

City

Lincoln *

County

Lancaster *

State

NE *

Zip Code

68506 *

Home Telephone Number

402-610-6018 *

Business Telephone Number

402-476-7311 *

Drivers License Number

* [CH

Are You Married? * Yes ☐ No ☒ If Yes, You must complete the following:

SPOUSE'S INFORMATION

Full Name (Last, First, Middle, Maiden)

Nguyen, Kim Ngan (Do)

Social Security Number

Drivers License Number

State

OH

Date of Birth

Place of Birth

Vung Tau, Vietnam

* 1. **READ CAREFULLY.** Answer completely and accurately.

Has anyone who is a party to this application, or their spouse, ever been convicted of or plead guilty to any criminal charge. Criminal charge means any charge alleging a felony or misdemeanor violation of a federal or state law; or a violation of a local law, ordinance or resolution. List the nature of the charge, where the charge occurred and the year and month of the conviction or plea. Also list any charges pending at the time of this application. If more than one party, please list charges by each individual's name.

Yes ☐ No ☒

Tim Nguyen: speeding, Summer 2000, Lexington, KY

Kim Nguyen: speeding, Fall 1996, Chicago, IL

* 2. Have you or your spouse ever made application for any liquor license or manager for any liquor license? IF YES, for what premise give license number and date.

Yes ☐ No ☒

* 3. Have you or your spouse ever made a compromise settlement for violation of such laws?

Yes ☐ No ☒

* 4. Do you, as a manager, have all the qualifications required by any person entitled to hold a Nebraska Liquor License?

Nebraska Liquor Control Act (§53-131.01)

Yes No
☒ ☐

* 5. Have you filed fingerprint cards and **PROPER FEES** (if check, make out to the NE State Patrol), with this application?

Yes No
☒ ☐

RESIDENCES FOR THE PAST 10 YEARS, APPLICANT AND SPOUSE MUST COMPLETE

Year

From To

Applicant: City & State

Lincoln, NE 2002 2003

Spouse: City & State

Lincoln, NE 2002 2003

Year

From To

Applicant: City & State

Columbus, OH 1993 2002

Spouse: City & State

Columbus, OH 1996 2002

Year

From To

Applicant: City & State

Spouse: City & State

Shaumburg, IL 1993 1996

Year
From To

Applicant: City & State

Spouse: City & State

EMPLOYERS - LIST LAST TWO EMPLOYERS

Year

Name of Employer

From To

Name of Supervisor

Telephone Number

Year

Name of Employer

From To

Name of Supervisor

Telephone Number

PERSONAL OATH AND CONSENT OF INVESTIGATION - MUST BE SIGNED BY APPLICANT & SPOUSE

STATE OF NEBRASKA)

) SS

COUNTY OF LANCASTER

The above individual(s), being first duly sworn upon oath, deposes and states that the undersigned is the applicant and/or spouse of applicant who makes the above and foregoing application, that said application has been read and that the contents thereof and all statements contained therein are true. If any false statement is made in any part of this application, the applicant(s) shall be deemed guilty of perjury and subject to penalties provided by law. (Sec. §53-131.01) Nebraska Liquor Control Act.

The undersigned applicant hereby consents to an investigation of his/her background including all records of every kind and description including police records, tax records (State and Federal), and bank or lending institution records, and said applicant and spouse waive any rights or causes of action that said applicant or spouse may have against the Nebraska Liquor Control Commission and any other individual disclosing or releasing said information to the Nebraska Liquor Control Commission. If spouse has NO interest directly or indirectly, an affidavit may be filed.

The undersigned understand and acknowledge that any license issued, based on the information submitted in this application, is subject to cancellation if the information contained herein is

incomplete and inaccurate.


Signature of Applicant


Signature of Spouse

Subscribed in my presence and sworn to before
me this 27 day of October, 2003.

Subscribed in my presence and sworn to before
me this 27 day of October, 2003.


Notary Signature & Seal




Notary Signature & Seal



Verify and Print

FORM 35-4013
REV. 8/01